

REMARKS

Applicants have received and reviewed the Office Action dated July 24, 2009. By way of response, Applicants have cancelled claims 2-3 without prejudice, amended claims 1 and 10, and present new claims 11-12. Claim 11 includes a recitation previously found in claim 1. Claim 12 includes a recitation previously found in claim 9. No new matter has been added. Claims 1 and 4-12 are pending, but claims 5 and 6 are withdrawn. Applicants submit that the amended and newly presented claims are supported by the specification as filed.

For the reasons presented below, Applicants respectfully submit that the amended and newly presented claims are in condition for allowance, and notification to that effect is earnestly solicited.

Species Election Requirement

Applicants affirm the election without traverse to prosecute the invention of claim 7 (sarcosinate). Applicants acknowledge that claims 1-4 and 8-10 are generic.

Rejection of Claims Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 1-4 and 7-10 under 35 U.S.C. § 112, second paragraph. The Examiner objects to certain terms employed in the claims. Applicants respectfully traverse this rejection.

Nonetheless, the amended and newly presented claims do not include the terms objected to in the Office Action.

Accordingly, the amended and newly presented claims fully comply with § 112, second paragraph, and withdrawal of this rejection is earnestly solicited.

Rejection of Claims Under 35 U.S.C. § 102(b) or § 103(a)

The Examiner rejected claims 1, 3-4 and 7-10 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Willman et al., WO 95/33025. Applicants respectfully traverse this rejection.

Independent claim 1 now includes the subject matter of dependent claim 2, which was not subject to this rejection. Thus, this rejection is moot.

Accordingly, based on the foregoing differences, Applicants submit that the cited reference neither teaches nor suggests the presently claimed compositions, and withdrawal of this rejection is earnestly solicited.

Rejection of Claims Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-4 and 7-10 were rejected under 35 U.S.C. § 103(a) as obvious over Knochel et al., US 4,946,618 in view of Kacher et al., US 5,227,086. Applicants respectfully traverse this rejection.

The Knochel et al. and Kacher et al. references each relate to solid compositions. Amended claim 1 recites that the claimed composition is in the form of a liquid. One advantage of the present invention is that the mixture of oily substance and surfactant form a liquid, which can be a clear liquid. Disclosure by the cited references of solid bars does not suggest making such a liquid composition.

Accordingly, based on the foregoing differences, Applicants submit that the cited references neither teach nor suggest the presently claimed compositions, and withdrawal of this rejection is earnestly solicited.

Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate.

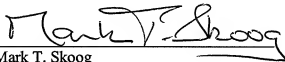
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: November 18, 2009

MTS:kf-sll


Mark T. Skoog
Reg. No. 40,178

